Title: Crime and the Colony: The Intersection of Criminal and Colonial Discourses in the Eighteenth Century

Name of Scholar: Chandrima Das

Supervisor: Professor Amrit Sen

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Synopsis

My thesis seeks to look deeply into the eighteenth century criminal narratives and trace the points of contact and intersection between the criminal and colonial discourses in that century. Among the many popular forms of available reading material in the early eighteenth century a significant proportion consisted of criminal narratives, published and distributed in various forms. What has been come to be known as 'colonial propagandist literature' was another important component of the literary production of that age. Travel narratives— fictional and factual— adventure stories, pamphlets, anthropological accounts-- constructed and circulated among the English readers a discourse about the non-English. As Edward Said famously pointed out in *Orientalism* (1978), the colonial discourse pre-dated the actual practice of European imperialism by centuries. This centuries old discourse came into contact with many other relatively newer ones in the course of its existence, leaving traces on each other in the process. In the course of my research I want to look into the dynamics of such contacts between the colonial and the criminal discourses focusing on how the former often invisibly shaped and influenced the structure, the themes, the narrative strategies and the ideology of the latter. A second and equally important part of my hypothesis is the argument is that this interaction also helped to create a sense of 'Englishness' as it was understood in the eighteenth century.

One obvious point of contact between the two discourses can be traced to the eighteenth century tradition of transporting convicted criminals to North American colonies, a practice institutionalized in the form of the Transportation Act of 1718. Shorter criminal narratives generally did not contain detailed accounts of the lives of transported criminals, but the longer ones often did. Both Defoe's *Moll Flanders* and *Colonel Jack* contain detailed descriptions and analyses of the lives of the eponymous protagonists in Virginia. These criminals turned plantation owners make a transition from parasitical modes of economics activities (because as a thief or a beggar neither Moll nor Jack produced any goods or services, therefore their income is a form of transference— not production— of wealth) to independent ones. Michel Foucault, drawing upon Rusche and Kirchheimer's argument, points out how there always is a specific kind of correspondence between a society's mode of economic production and its penal system (Foucault 25).

Be it a transported criminal or someone who has been forcibly taken outside the British Isles, their experience of/in these 'other' spaces would always be fraught with ambiguities. The interrelated themes of exile, punishment, repentance on the one hand and colonial expansion and

exploitation on the other create a complex web of meaning which is unique to these discursive interactions.

Eighteenth century accounts of the lives and adventures of famous pirates, again both fictitious and real, are also sites which a researcher can excavate to find relevant information. Maximilian E. Novak, in his brilliantly researched biography of Daniel Defoe points out how Defoe seems to have considered that 'most nations at their beginnings were little more than pirates or brigands; the amount of money that the pirates were supposed to have amassed would always exert influence in the world and England might as well take advantage of it' (Novak 581). Narratives of piracy are noted for their mingled sense of awe and horror at the exploits of the daring adventures and a very real sense that in a way the wealth that these miscreants are accumulating would help in the growth and expansion of the nation as a whole. As stories of adventure, narratives of piracy can also be considered as showing what can be called a 'cartographic imagination'. One particular form of criminal activity and its narrative representation thus becomes embedded in the grand narrative of colonial expansion and the discovery of the 'New World'.

There are also subtler and harder to discern traces of these discursive interactions in eighteenth century narratives. One can point to, for instance, the prefaces appended to the collections of criminal narratives, which seem to repeatedly harp upon the fact that it is the penal system of England that, in spite of its apparent harshness, makes it a 'civilized' nation. Take for example this statement from the preface to *Lives of the Most Remarkable Criminals* a 1735 collection by one John Osborn, an eighteenth century printer:

> We enter into society for the sake of protection, and as this renders certain laws necessary, we are justly concluded by them in other cases for the protection of others; but of all the criminal institutions which have been settled in any nation, never was any more just, more reasonable, or fuller of clemency, than that which is called the Crown Law in England (Osborn n.p.)

I want to argue that this process of discursive overlapping helped to foster and sustain the self image of the English nation. Patrick Parrinder in his encyclopaedic study *Nation & Novel: The English Novel from its Origins to the Present Day* draws upon the distinction between the 'cultural' and the 'political' nation. The 'political nation' of England asserted and expanded its authority beyond its territory through the process of colonialism during the eighteenth century. The 'cultural nation' on the other hand, as reflected in various cultural forms, concomitantly constructs and consolidates the idea of 'Englishness' or national identity. I would want to draw upon Edward Said's idea of cultural identity as—

> …[F]inally a construction—[it] involves establishing opposites and "others" whose actuality is always subject to the continuous interpretation and re-interpretation of their differences from "us". Far from a static thing then, identity of self or of "other" is a much worked-over historical, social, intellectual and political process that takes place as a contest individuals and institutions in all societies. (Said 332)

This process of discursive seepage and overlapping took place throughout and the eighteenth century and continued beyond that, so much so that it is impossible to assert with any

degree of finality whether it has really ceased to exist. To trace these complex negotiations in its entirety is a mammoth task. Therefore, I propose to limit my study between the periods of 1718-1779. The gradual process of penal reforms that was inaugurated with the Penitentiary Act of 1779 qualitatively changed the English penal discourse, changes which are beyond the scope of this study. These sixty years produced an enormous quantity of literature on crime and criminals, much of which has perished or are inaccessible. I therefore propose to work with the most popular, representative and readily available material like the novels of Daniel Defoe, Henry Fielding, collections like John Osborn's and the corpus of the *Newgate Calendars*. I would like to limit myself primarily to prose narratives and also to texts which have criminals as the protagonists.

I derive the theoretical framework for my thesis from Michel Foucault's notion of discourse as 'practices that systematically form the objects of which they speak' (Foucault *The Order* 49).Rejecting the notion of power as a non-reversible flow from the centre to the margin or from the top to the bottom, Foucault postulates power as a network of relations. Power can be created, circulated and sustained through discourses as much as through other officially sanctioned forms like legislations. I would like to argue that the eighteenth century discourses on criminality, in its points of convergence with the discourse of colonialism create/represent a new kind of criminal subject against which 'English' identity sees and measures itself. Edward Said has also drawn upon the Foucauldian notion of power to articulate his immensely influential critique of the construction of the Oriental/Occidental binary. I owe methodological debt to Said also as his reading of the Orientalist discourse is an object lesson to anyone who want to probe into the 'political unconsciousness' of a text.

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